IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI
AT BABER MELA

Bail Application No.	:	45/4 of 2026
Date of Institution	:	21.02.2026
Date of Decision	:	24.02.2026

ORDER

Sajjad Ali Advocate for accused/petitioner and Sr. PP, Abul Qasim for the State present. Record received. Arguments heard and record perused.

2. Accused/petitioner, **Ismail** s/o Sharbat Khan seeks his post-arrest bail in case FIR No. 25, Dated 17.02.2026 registered u/s 11 (1) 2 CNSA of Police Station Kalaya. As per contents of the FIR, the complainant, SHO Muhammad Jameel along with other police contingent in official vehicle were present on a barricade on main metaled near Karghan Check-Post on 17.02.2026 when a motorcycle arrived there from Anjani at 1900 hours. The motorcycle was stopped and the rider was disembarked who disclosed his name as Ismail s/o Sharbat Khan. The complainant recovered a white plastic envelope containing 40 grams of ICE from side cover of the motorcycle. Hence, the present FIR.

Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

3. After hearing both the parties and perusal of the record, it was found that though the accused/petitioner is directly nominated in the FIR.

However, the offence does not attract the prohibitory clause of section 497 Cr.P.C. The FSL report is not available on file to show that the recovered substance was actually ICE or otherwise. This fact alone makes the case one of further inquiry.

4. Hence, in view of what is discussed above, the accused/petitioner is admitted to bail subject to submission of bail bonds to the tune of Rs. 50,000/- with two sureties each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means.

5. Copy of this order be placed on police/judicial file. File of this Court be consigned to record room after its necessary completion and compilation.

Announced:
24.02.2026

(HAQ NAWAZ)
Sessions Judge/Judge Special Court,
Orakzai at Baber Mela